

Remarks

No claims have been added or cancelled in this response. Therefore, Claims 1–8 remain pending in this Application. Claims 1–3 are independent.

Claim Rejections Under 35 U.S.C. § 102(b) based on U.S. Patent 5,518,008.

Claims 1–8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,518,008 (“Cucchiaro”). Claims 1–3 are independent.

Cucchiaro discloses a system for analyzing dental implants (abstract). A hammer is impacted against the dental implant, thereby causing the implant to vibrate (4:37–40). An accelerometer is used to record the acceleration time history of the vibrating implant (4:55–57). The acceleration time history is into a frequency spectrum recorded in volts as a function of frequency (5:41–48), and example of which is provided in Figure 7 of the Cucchiaro reference. The resonant frequencies of the implant are indicated by peaks in the frequency spectrum (6:63–64).

Claim 1. In contrast to Cucchiaro, Claim 1 recites, among other things,
 creating a time-energy profile based on the energy reflected from the
 anatomical structure during the time interval; and
 evaluating the time-energy profile to determine the bone density of the
 anatomical structure.

As discussed during the telephonic interview, Cucchiaro cannot anticipate the combination of elements recited in Claim 1. In particular, Cucchiaro discloses analyzing the frequency spectrum, recorded in volts as a function of frequency, produced as a result of tapping on a dental implant. The analysis disclosed in Cucchiaro does not involve “creating a time-energy profile based on the energy reflected” from an anatomical structure, and therefore cannot include “evaluating the time-energy profile to determine the bone density of the anatomical structure”.

Based on the foregoing, Applicants submit that Claim 1 is allowable over Cucchiaro, and respectfully request that the rejection of Claim 1 be withdrawn.

Claim 2. In contrast to Cucchiaro, Claim 2 recites, among other things,

creating a time-energy profile of the energy reflected from the dental structure; and

evaluating the time-energy profile to make a determination regarding the bone density of the foundation.

As discussed during the telephonic interview, Cucchiaro cannot anticipate the combination of elements recited in Claim 2. In particular, Cucchiaro discloses analyzing the frequency spectrum, recorded in volts as a function of frequency, produced as a result of tapping on a dental implant. The analysis disclosed in Cucchiaro does not involve “creating a time-energy profile of the energy reflected” from a dental structure, and therefore cannot include “evaluating the time-energy profile to make a determination regarding the bone density of the foundation” in which the dental structure is anchored.

Based on the foregoing, Applicants submit that Claim 2 is allowable over Cucchiaro, and respectfully request that the rejection of Claim 2 be withdrawn.

Claims 3–8. In contrast to Cucchiaro, amended Claim 3 recites, among other things,

creating a time-energy profile of the energy reflected from the object; and
evaluating the time-energy profile to make a determination regarding the
bone density of the anatomical structure to which the object is anchored.

As discussed during the telephonic interview, Cucchiaro cannot anticipate the combination of elements recited in amended Claim 3. In particular, Cucchiaro discloses analyzing the frequency spectrum, recorded in volts as a function of frequency, produced as a result of tapping on a dental implant. The analysis disclosed in Cucchiaro does not involve “creating a time-energy profile of the energy reflected from the object”, and therefore cannot include “evaluating the time-energy profile to make a determination regarding the bone density of the anatomical structure to which the object is anchored”.

Based on the foregoing, Applicants submit that Claim 3 is allowable over Cucchiaro, and respectfully request that the rejection of Claim 3 be withdrawn. Furthermore, because Claims 4–8 depend from independent Claim 3, and further

Application Number **10/802,117**
Amendment dated **9 June 2005**
Reply to Office Action of **23 March 2005**

distinguish the claimed invention from Cucchiaro, Applicants submit that Claims 4–8 are allowable over Cucchiaro for at least the same reasons that Claim 3 is allowable over Cucchiaro. Therefore, Applicants respectfully request that the rejections of Claims 4–8 also be withdrawn.

Conclusion.

In view of the foregoing amendments, the Applicants submit that this application is in condition for allowance, and respectfully request the same. If, however, some issue remains that the Examiner feels can be addressed by an Examiner's Amendment, the Examiner is cordially invited to call the undersigned for authorization.

Respectfully submitted,

KNOBBE MARTENS OLSON & BEAR LLP

Dated: 9 jun 05

By: Kyle F. Schlueter
Kyle F. Schlueter, Attorney of Record
Registration No. 54,912
Customer No. 20,995
(310) 551-3450

1715391
051705